

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

Khalid Mourid

Plaintiff

Civil Action No.:

5:18-cv-1194

v

Nationwide Credit, Inc.

Defendant

Complaint

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## Introduction

1. The Fair Debt Collection Practices Act was enacted to protect consumers from mistreatment by debt collectors. In enacting the FDCPA Congress noted that harassment and abuse by debt collectors contributed to personal bankruptcies, marital instability, job loss, and invasions of individual privacy.

2. The FDPCA is a strict liability statute that protects consumers from misleading communications by debt collectors. The FDCPA prohibits debt collectors from conveying false information in attempting to collect a debt.
3. Plaintiff brings this action for Defendant's false representation made in collecting a debt, and seeks actual damages, statutory damages, attorney's fees, and costs.

### **Jurisdiction & Venue**

4. Jurisdiction of this Court arises under 15 U.S.C. § 1692k(d) and 28 U.S.C. § 1331.
5. Venue is proper in this district and division pursuant to 28 U.S.C. § 1391(b) as a substantial part of the events or omissions giving rise to Plaintiff's claims occurred here.

### **Parties**

6. Plaintiff, Khalid Mourid, is a natural person who resides in and has resided in San Antonio, Bexar County, Texas at all times relevant to this action.

7. Defendant, Nationwide Credit, Inc., is a Georgia corporation whose physical address is 40 Technology Parkway, South, Ste 300, Norcross, GA 30092 who may be served with summons via its registered agent at Prentice-Hall Corporation System Inc 807 Brazos, Austin, Texas 78701.

### **Facts**

8. NCI regularly collects, and attempts to collect, defaulted debts which were incurred, or alleged to have been incurred, for personal, family, or household purposes on behalf of others using the U.S. Mail, telephone, and internet.
9. The principal purpose of NCI is the collection of such debts.
10. The Debt is a defaulted debt that Mourid used for personal, family, and household purposes (the “Debt”).
11. After defaulting on the Debt, Mourid received letters from Chase Bank.
12. After some time, letters started coming from NCI.
13. NCI’s letters indicated that Chase Bank USA, NA was the current creditor.

14. On June 4, 2018, NCI sent a letter stating that he had two weeks to accept an offer to satisfy the debt by paying \$619.64 or 10% of the amount owed.

15. Exhibit A to this complaint is a true and correct copy of this letter, except that it has been redacted per Fed. R. Civ. P. 5.2.

16. To accept this offer he had to make a payment on or before June 18, 2018.

17. However, on June 14, before the two weeks were up, Chase sent Mourid a letter offering to settle the Debt for \$620.71, more than 10% of the amount owed.

18. Exhibit B to this complaint is a true and correct copy of this letter, except that it has been redacted per Fed. R. Civ. P. 5.2.

19. NCI's representation that its offer was available until June 18 was false and misleading.

### **Cause of Action – Fair Debt Collection Practices Act**

20. NCI is a debt collector as defined by 15 U.S.C. § 1692a(6).

21. The Debt is a debt as defined by 15 U.S.C. § 1692a(5).

22. Mourid is a consumer as defined by 15 U.S.C. § 1692a(3).

23. The letter is a communication as defined by 15 U.S.C. § 1692a(2).

24. The letter violates the FDCPA in that it makes use of a false representation to collect or attempt to collect a debt in violation of 15 U.S.C. § 1692e(10).

### **Jury Demand**

25. Plaintiff demands this case be tried before a jury.

### **Prayer for Relief**

Plaintiff prays, that this Court enter judgment against Defendant and in favor of Plaintiff for:

- a. Actual damages per 15 U.S.C. § 1692k(a)(1);
- b. Statutory damages per 15 U.S.C. § 1692k(a)(2);
- c. Attorney's fees, costs, and litigation expenses per 15 U.S.C. § 1692k(a)(3); and
- d. All such other and further relief as Plaintiff may be entitled at law or in equity.

Dated: November 15, 2018      Respectfully Submitted,

/s/William M. Clanton  
William M. Clanton  
Texas Bar No. 24049436

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